

**March 21, 2016
Planning Commission Minutes
Borough of Gettysburg**

Chair Rad Schultz called to order the Monday, March 21, 2016 meeting of the Gettysburg Borough Planning Commission at 7:00 PM at the Borough Building, 59 East High Street, and introduced commission and staff members. Those in attendance were: Commission Members Mike Shestok, Martin Jolin and Charles Strauss; Planning Director Scott Dellett, Borough Engineer Chad Clabaugh, and Borough Management Assistant Karen Mesher. Others in attendance were: Jeff Zigler, Civil Project Manager, KPI Technology, Inc, Gary W. Shaffer, Architect, Shaffer Design Associates, PC and Nate Mares, all representing the Best Western Hotel, 301 Steinwehr Avenue; Mark A. Kosh, Kosh Enterprises, and Sean T. Flanagan, THYNK Design, LLC, both representing 224 Baltimore Street; Robert A. Sharrah, PLS, Sharrah Design Group, Inc. (SDGI) representing The Civil War Trust, 401 Buford Avenue; and Jim Hale of the *Gettysburg Times*. Commission Member Peter Smith was absent.

Agenda and Minutes

The meeting agenda was accepted as published. Mr. Shestok moved to approve the February 16, 2016 minutes as presented. Mr. Jolin seconded and the motion was approved 4-to-0.

Public Comment for Items Not on the Agenda

There were no comments for items not on the meeting agenda.

Tabled Application

SLD-16-01 Best Western Hotel, 301 Steinwehr Avenue, Preliminary and Final Land Development Review.

Mr. Zigler gave a brief presentation and responded to the Commission's questions regarding the applicant's request for the following:

- A. Approval for a modification of Sections 22-1103.3 and 22-1103.4, to permit a reduction of the required number of planting units.
- B. Approval of a waiver of Section 22-1-1014.1, Sidewalk, Pathway and Driveway, to relieve the applicant of the requirement to construct a sidewalk on the side of the property adjacent to Johns Avenue.
- C. Approval of a combined preliminary and final land development plan to permit construction of a three-story, 15,500-square-foot 81-room hotel on 1.7 acres. The subject property is located in the TC Tourist Commercial, Streetscape Enhancement Overlay and Historic districts.

Mr. Clabaugh had referenced the timeline faced by the applicant as referenced in the Planning Director's memorandum dated March 18, 2016:

1. **Description:** The applicant requests combined preliminary and final subdivision and land development plan approval for construction of a three-story, 15,500-square-foot Best Western Hotel, replacing an existing hotel at the site.
2. **Submission Date:** The application was submitted to the Planning Department on December 14, 2015.
3. **Adams County Office of Planning and Development Review:** The application was submitted to the Adams County Department of Planning and Development on December 14, 2015. A review memorandum dated January 12, 2016 was received by the Borough Planning Department on January 13, 2016.
4. **MPC Deadline:** April 12, 2016.

Mr. Dellett explained that the applicant must request a time extension or the Planning Commission must render a decision on the application tonight. Mr. Clabaugh reviewed his March 3, 2016 letter with the applicant underscoring the need for the Highway Occupancy Permit from PennDOT, the request for a Planning Exemption, the need for the Erosion and Sedimentation Control Plans, the need for sidewalks along Johns Avenue, and the request for the Lighting Plan. Mr. Zigler stated that changes were made and resubmitted to Penn DOT. He noted that the water treatment facility has the capacity to provide sewer and water to the applicant. He indicated that all of the existing sidewalks along Culp and King Streets will be replaced. Mr. Dellett said that the Gettysburg Fire Department requested that the applicant meet the fire connections to the building, and that the Fire Department will need to review the Land Development plan. Mr. Shaffer stated that a final design will be submitted to the Borough Code Enforcement Officer for review.

Mr. Dellett indicated that the applicant made two waiver modification requests:

1. Approval for a modification of Sections 22-1103.3 and 22-1103.4, to permit a reduction of the required number of planting units. Mr. Dellett stated that there is adequate landscape to deal with the number of planting units required by the ordinance, and that staff does not object to the waiver. Mr. Schultz questioned if the number of planting units would be reduced by the addition of a rear sidewalk.

Mr. Jolin made the **motion** that the Planning Commission grant the modification for the number of planting units as requested. Mr. Strauss seconded the motion, and it passed 4-to-0.

2. Approval of a waiver of Section 22-1-1014.1, Sidewalk, Pathway and Driveway, to relieve the applicant of the requirement to construct a sidewalk on the side of the property adjacent to Johns Avenue. Staff recommends the grant of the waiver, subject to the condition the applicant shall construct a sidewalk on Johns Avenue at such time a sidewalk

is constructed along the Johns avenue frontage for the adjacent Heritage Center property. The applicant shall place a note of the plan indicating the agreement.

Mr. Strauss made the **motion** that the Planning Commission grant the waiver to relieve the applicant of the requirement to construct a sidewalk on the side of the property adjacent to Johns Avenue. Mr. Jolin seconded the motion. A discussion commenced and Mr. Strauss withdrew his motion, and Mr. Jolin withdrew his second.

Mr. Strauss made the **motion** that the Planning Commission grant the waiver to relieve the applicant of the requirement to construct a sidewalk on the side of the property adjacent to Johns Avenue subject to the condition that the installation be completed within one year of the notification from the Borough. Mr. Shestok seconded the motion, and it passed 4-to-0.

Mr. Dellett reviewed the proposed conditions in his memorandum dated March 18, 2016:

If the Planning Commission wishes to approve the combined preliminary and final land development plan application for SLD-16-01 Best Western Hotel Combined Preliminary and Final Subdivision and Land Development Plan, then staff recommends approval subject to the following conditions:

1. **BOROUGH ENGINEER'S REVIEW LETTERS.** The applicant shall address all outstanding issues referenced in the Borough Engineer's review letters dated January 21, 2016, March 3, 2016 and March 18, 2016 in a manner acceptable to the Borough Engineer.
2. **DEVELOPMENT AGREEMENT.** The applicant shall execute the Borough's standard development agreement in a form acceptable to the Borough Solicitor. (SALDO §22-803)
3. **FINANCIAL SECURITY.** The applicant shall provide financial security for the development in a manner acceptable to the Borough Engineer and consistent with the provisions in the state Municipalities Planning Code. (SALDO §22-804)
4. **STORMWATER MANAGEMENT AGREEMENT.** The applicant shall execute the Borough's standard Stormwater Management agreement in a form acceptable to the Borough Engineer. (SALDO §22-1008 and Chapter 17 of the Borough Code of Ordinances, Stormwater Management)
5. **COMPLIANCE WITH BOROUGH SIGN ORDINANCE.** The applicant shall apply for and receive approval for installation of all signs depicted on the development pursuant to Chapter 19 of the Borough Code of Ordinances, Signs. (Chapter 19 of the Borough Code of Ordinances, Signs)
6. **COMPLIANCE WITH BOROUGH HISTORIC DISTRICT ORDINANCE.** The applicant shall comply with all regulations in Chapter 11 of the Borough Code of Ordinances, Historic District, and renovate the exterior according to plans and materials submitted for a Certificate of Appropriateness. (SALDO §22-1018.C and Chapter 11 of the Borough Code of Ordinances, Historic Districts)

7. **GETTYSBURG MUNICIPAL AUTHORITY REVIEW LETTER.** The applicant shall comply with all issues referenced in the Gettysburg Municipal Authority's review letter dated January 15, 2016, in a manner acceptable to the authority's Operations Manager.
8. **GETTYSBURG FIRE DEPARTMENT REVIEW.** The applicant shall comply with all issues referenced in the Gettysburg Fire Department's review e-mail dated March 15, 2016, in a manner acceptable to the department's Fire Chief.

Mr. Shestok made the **motion** that the Planning Commission approve the combined preliminary and final development plan application SLD-16-01 for the Best Western Hotel pending that the conditions in I. 1-7 stated in the Planning Director's March 18, 2016 memorandum are met. Mr. Jolin seconded the motion, and it passed 4-to-0. Mr. Clabaugh explained the approval/administrative process to the applicant in order to break ground, citing that agreements must be submitted at least one week prior to the council meeting in order to get on their agenda.

New Applications

- A. **ZHB-16-01 Kosh Enterprises, LLC, 224 Baltimore Street.** Applicant requests a determination of the parking requirements for the site under Section 27-1302(2) for use as a live-work unit with a first floor museum and, if necessary, obtain a variance from Sections 27-1301(1) and 27-1302, Parking Requirements. The Planning Commission is requested to review this application and forward a recommendation to the Zoning Hearing Board pursuant to Section 27-1703 of the Borough Zoning Ordinance.

Mr. Dellett explained that the applicant will go before the Zoning Hearing Board on March 23, 2016, and is seeking a recommendation from this Commission for a determination of the parking standard because museums are not addressed in Section 27-1302 item 2. Mr. Kosh, the owner, and Mr. Flanagan of THYNK Design, LLC gave a brief presentation and responded to Commission questions. Mr. Flanagan explained that there will be a museum on the first floor of this building (with 2,294 square feet), and the upper two floors will be the residence for the applicant. He explained that there are currently two parking spaces on-street and a concrete slab to the rear with 90 degree parking spaces. He is proposing 60 degree angle parking to the rear (with 400 square feet of floor area per parking space) configuring nine parking spaces in the lot plus the two on-street parking spaces for a total of eleven parking spaces (allowing for one parking space for each dwelling unit).

Mr. Strauss made the **motion** that the Planning Commission recommend to the Zoning Hearing Board that the applicant meets the appropriate parking criteria of 400 square feet for the museum and one parking space for the residential unit. Mr. Shestok seconded the motion, and it passed 4-to-0.

- B. **SWM-16-04 Civil War Trust, 401 Buford Avenue.** Applicant requests a review and approval of the stormwater management plan under Chapter 17 of the Borough Code of Ordinances, Stormwater Management, for site work activities associated with the demolition of the designated buildings and restoration of the property.

Mr. Clabaugh explained that the plan does not meet the requirements of a Land Development Plan, but does meet the requirements of a Stormwater Management Plan because the applicant intends to disturb over an acre of land taking away the impervious area requiring an NPDES permit from the Conservation District which triggers the requirement to get a Stormwater Management permit from the Borough. The applicant needs to address rate and runoff of water onto the neighboring property. Mr. Sharrah, representing the applicant, responded to the comments made in the March 16, 2016 Borough Engineer's letter. He explained that a graphic scale has been added to all appropriate sheets; the PSCM Report has been sealed by a design professional; the plans have been updated to reflect the findings from the inspection of discharge points resulting from a meeting with the Conservation District; updated worksheets 4 and 5 to include the volume reductions; and that an Operation and Maintenance Agreement with the Borough is not necessary for this project because there is significant stormwater runoff volume reduction and there are really no permanent BMPs to own, operate and maintain. Mr. Clabaugh agreed that a Stormwater Management Agreement is not necessary.

Mr. Schultz made the **motion** that the Planning Commission approve SWM-16-04 Civil War Trust Stormwater Management Plan subject to the applicant addressing the outstanding issues outlined in the March 16, 2016 Borough Engineer's letter in a manner acceptable to the Borough Engineer. Mr. Shestok seconded the motion, and it passed 4-to-0.

Planning Director's Report

For-Square Gospel Church Update

Mr. Dellett stated the Church headquarters in California was in the process of signing the plans.

Joint Comprehensive Plan Update – Steering Committee

Mr. Dellett said the Central Adams County Joint Comprehensive Plan Steering Committee met on March 1, 2016 (the documents from the last two meetings were provided to the Commission). The Steering Committee will hold their next meeting at 3 PM on April 5th at the Adams County Agricultural and Natural Resources Center on Old Harrisburg Road.

Old Town Parking Requirements

Mr. Dellett said that the Adams County Industrial Development Authority withdrew their request to extend the exemption in Old Town for residential office development. He said that there will be a holistic review of the entire ordinance.

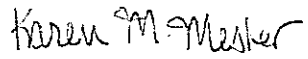
Other Business

There was no other business.

Adjournment

Mr. Shestok made the **motion** to adjourn, and it was seconded by Mr. Jolin. The motion was approved 4-to-0. The meeting adjourned at 8:12 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Karen M. Mesher". The signature is written in a cursive style with a large, stylized 'K' and 'M'.

Karen M. Mesher

Borough Management Assistant